

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Westhoff et al.

Application No.: 09/395,106

Appeal No.: 2005-2519

Filed: September 14, 1999

For: MANHOLE INSERT FOR
MANUFACTURE OF A CAST MEMBER AND
INCREASED STRUCTURAL AND HOLDING
STRENGTH

Group: 3637

Examiner: Phin Dieu Tran A

Our File: POL-PT010.1

Date: September 14, 2005

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U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

**COMMUNICATION RE BOARD OF PATENT APPEALS AND
INTERFERENCES DOCKETING NOTICE**

Board of Patents Appeals and Interferences
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

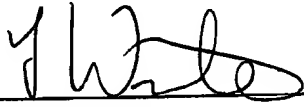
Further to the Docketing Notice mailed on August 18, 2005, we noticed the United States Patent and Trademark Office indicated that we filed a Request for Hearing on June 13, 2005. However, we filed a Request for the Status of the Hearing previously requested on that date (copy enclosed).

Applicant:
Application No.:

Please correct this error and forward a notification with the correction. We also still await the status of this Hearing for the above-identified patent application.

Respectfully submitted,

Westhoff et al.

By 
Louis Weinstein
Registration No. 20,477
(215) 568-6400

Volpe and Koenig, P.C.
United Plaza, Suite 1600
30 South 17th Street
Philadelphia, PA 19103

LW/tmf
Enclosures



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United States Patent and Trademark Office

POL-PTO10.1
Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark Office
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

Paper No:
Appeal No: 2005-2519
Application: 09/395,106
Appellant: JAMES A. WESTHOFF et al.

Board of Patent Appeals and Interferences
Docketing Notice

MAILED

AUG 18 2005

PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Application 09/395,106 was received from the Technology Center at the Board on July 07, 2005 and has been assigned Appeal No: 2005-2519.

A review of the file indicates that the following documents have been filed by appellant:

Appeal Brief filed on: January 23, 2003
Reply Brief filed on: October 12, 2004
Request for Hearing filed on: June 13, 2005

In all future communications regarding this appeal, please include both the application number and the appeal number.

The mailing address for the Board is:

BOARD OF PATENT APPEALS AND INTERFERENCES
UNITED STATES PATENT AND TRADEMARK OFFICE
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

The facsimile number of the Board is 571-273-0052. Because of the heightened security in the Washington D.C. area, facsimile communications are recommended. Telephone inquiries can be made by calling 571-272-9797 and should be directed to a Program and Resource Administrator.

By order of the Board of Patent Appeals and Interferences

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AUG 23 2005

VOLPE & KOENIG, P.C.

PTO/SB/21 (09-04)

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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)


Total Number of Pages in This Submission

Application Number	09/395,106
Filing Date	September 14, 1999
First Named Inventor	Westhoff et al.
Art Unit	3637
Examiner Name	Phi Dieu Tran A
Attorney Docket Number	POL-PT010.1

ENCLOSURES (Check all that apply)


<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input checked="" type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Copy of Examiner's Answer of August 6, 2004, copy of our Reply and Request for an Oral Hearing Date of October 6, 2004
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	VOLPE AND KOENIG, P.C.		
Signature			
Printed name	Louis Weinstein		
Date	June 8, 2005	Reg. No.	20,477

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Board of Patent Appeals and Interferences Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Louis Weinstein	Date	June 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the PATENT APPLICATION of:

Westhoff et al.

Application No.: 09/395,106

Confirmation No.: 5428

Filed: September 14, 1999

**For: MANHOLE INSERT FOR
MANUFACTURE OF A CAST MEMBER AND
TO PROVIDE A STEP INSERT HAVING
INCREASED STRUCTURAL AND HOLDING
STRENGTH**

Group: 3637

Examiner: Phi Dieu Tran A

Our File: POL-PT-010.1

Date: June 8, 2005

**COMMUNICATION RE STATUS OF REQUEST FOR ORAL HEARING
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

**Board of Patent Appeals and Interferences
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Sir:

**Please advise as to the status of our request for an Oral Hearing that we filed on
October 6, 2004 (copy enclosed) before the Board of Patent Appeals and Interferences.
We filed the request along with a Reply in response to Examiner's Answer mailed on
August 6, 2004 (copy enclosed).**

PTO/SB/21 (09-04)

Approved for use through 07/31/2006.

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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First Named Inventor	Westhoff et al.
Art Unit	3637
Examiner Name	Phi Dieu Tran A
Attorney Docket Number	POL-PT010.1

ENCLOSURES (Check all that apply)

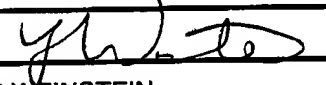
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication Re Docketing Notice, Copy Of Communication Filed June 8, 2005
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Remarks

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GROUP ART UNIT 3637.

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Firm Name	VOLPE AND KOENIG, P.C.		
Signature			
Printed name	LOUIS WEINSTEIN		
Date	September 14, 2005	Reg. No.	20,477

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being sent Via Facsimile (571-273-8300) addressed to: Examiner Phi Dieu Tran A
Group Art Unit 3637, on the date shown below:

Signature			
Typed or printed name	LOUIS WEINSTEIN	Date	September 14, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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